

REMARKS

Status Of Application

Claims 1-20 are pending in the application; the status of the claims is as follows:

Claims 1-3, 6-8, 11-13, and 16-18 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,552,813 B2 to Yacoub ("Yacoub").

Claims 4, 9, 14, and 19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Yacoub as applied to claim 1 above, and in view of Japanese Publication Application No. 10-301737 (A) to Hirofumi Nishikawa et al. ("Hirofumi").

Claims 5, 10, 15, and 20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Yacoub as applied to claim 1 above, and in view of U.S. Patent No. 6,424,425 B1 to Otsuka ("Otsuka").

Claim Amendments

Claims 1, 6, 11, and 16 have been amended to more clearly claim the nature of the print data correction process. Support for these amendments can be found in the original specification on page 9, line 19 through page 11, line 3. These amendments do not introduce any new matter.

35 U.S.C. § 102(e) Rejection

The rejection of claims 1-3, 6-8, 11-13, and 16-18 under 35 U.S.C. § 102(e) as being anticipated by Yacoub, is respectfully traversed based on the following.

Claim 1 includes the limitation of:

a substitution controller for correcting print data, that was to have been printed out by the printer in which the problem is detected by said detector, based on a color information of the printer in which the problem is detected by the detector and a color information of the selected substitute printer, to ensure that quality of the images printed by the selected substitute printer is the same as that of the images printed by the printer in which the problem is detected...

This limitation reflects the object of the invention that a document looks the same regardless of which printer is used to print the document. As the output of printers vary (e.g., red from one color printer appears pink or burgundy when the same print data is printed by another color printer), the print data must be corrected to ensure uniformity of printing from each color printer. This correcting of print data is discussed beginning on page 9, line 19 through page 11, line 3 of the present specification. In particular, this correction is not merely changing the format of the data, e.g., from L*a*b to YMCK. As the embodiment on pages 9-11 of the specification notes, the color correction may require that a YMCK value of (50, 50, 50, 50) on the printer with a problem be corrected to a YMCK value of (50, 48, 50, 52) on the substitute printer to render the same printed color. For this reason, claim 1 requires the substitution controller to correct print data based upon the color information for both the printer with a problem and the selected substitute printer. Obviously the claim is not directed to printing a color image on a black and white printer as suggested in the Advisory Action dated December 6, 2004. Further, the color information is more than just an indication that a particular printer is a color printer as opposed to a black and white printer. The embodiment described on page 10, lines 6 through 17, includes a color conversion table as part of the color information. This color conversion table maps the color from the printer format, such as YMCK (or RGB), to an absolute color that is not printer dependent, such as L*a*b. Such a color conversion table is known for each printer, thereby allowing the printer control device in this embodiment to map a given color on the first printer to an absolute print color, and from that absolute print color to the same printed color on a second, substitute printer.

In stark contrast, Yacoub merely reroutes a print job from one printer to another. The Office Action indicates several portions of Yacoub as support for correcting print data. The first cited section, column 2, lines 8-30, discloses that if an error is encountered with the first printer, the print job will be sent to a different printer complying with the print preferences such as “image quality and/or speed...” This section of Yacoub thus does not disclose correcting of print data as found in claim 1. Merely changing the print data from one format to another, such as when the first printer uses L*a*b data and the second uses YMCK data, is not correcting the print data such that an identical printed image will result. The second cited section, column 4, lines 2-67, again discloses the use of a “print quality” preference and describes this as measured in dots-per-inch, see column 4, lines 20-22. Additional disclosed print job preferences include speed, black and white or color, paper type, paper size, and dithering. As with the first cited section, a printer is selected based upon having these desired characteristics, no correcting of print data is undertaken to ensure that a low speed, high dot-per-inch color image printed on bright white, 8.5” x 11” paper from one printer would appear identical to the same image printed on another printer with the same print job preferences. The only changes that Yacoub appears to make are related to the header designating which printer should print the print job, there is no disclosure of correcting print data. In fact, Yacoub utterly fails to recognize that the same color image printed by one color printer may be different in color (red versus burgundy) when printed on another color printer even though both printers have identical “print quality.” Because Yacoub does not disclose correcting print data, a limitation of claim 1, Yacoub cannot anticipate claim 1.

Claims 2 and 3 depend from claim 1. As Yacoub fails to anticipate claim 1, Yacoub cannot anticipate claims 2 and 3 for at least the same reasons.

Method claims 6 and 11 include a step of correcting print data to ensure that the quality of the images printed by the selected substitute printer is the same as that of the images printed by the original printer. This step of correcting print data is again based upon color information from both the original and substitute printers. As discussed above,

Yacoub does not disclose correcting print data, but rather merely rerouting print data to a printer having the same print job preferences. Because Yacoub does not disclose correcting print data, a limitation in both claims 6 and 11, Yacoub cannot anticipate claims 6 and 11.

Claims 7 and 8 depend from claim 6. As Yacoub fails to anticipate claim 6, Yacoub cannot anticipate claims 7 and 8 for at least the same reasons. Claims 12 and 13 depend from claim 11. As Yacoub fails to anticipate claim 11, Yacoub cannot anticipate claims 12 and 13 for at least the same reasons.

Claim 16 includes a limitation of a controller for correcting print data to ensure uniform print quality regardless of the printer. As discussed above, Yacoub does not disclose correcting print data, but rather merely rerouting print data to a printer having the same print job preferences. Because Yacoub does not disclose correcting print data based upon color information from both the original and substitute printer, a limitation in claim 16, Yacoub cannot anticipate claim 16.

Claims 17 and 18 depend from claim 16. As Yacoub fails to anticipate claim 16, Yacoub cannot anticipate claims 17 and 18 for at least the same reasons.

Accordingly, it is respectfully requested that the rejection of claims 1-3, 6-8, 11-13, and 16-18 under 35 U.S.C. § 102(e) as being anticipated by Yacoub, be reconsidered and withdrawn.

35 U.S.C. § 103(a) Rejections

The rejection of claims 4, 9, 14, and 19 under 35 U.S.C. § 103(a), as being unpatentable over Yacoub as applied to claim 1 above, and in view of Hirofumi, is respectfully traversed based on the following.

Claim 4 depends from claim 1. As claim 1 is unanticipated by Yacoub, claim 4 is unanticipated by Yacoub for at least the same reasons. Combining Hirofumi with Yacoub fails to render claim 1 obvious. Hirofumi discloses changing the setting information of a print job when it is moved from one printer to another, *see* paragraph [0008]. In paragraph [0015], Hirofumi's setting information includes paper, a feeding-and-discarding paper tray, both sides, and the number of copies. Hirofumi appears to update this setting information when a print job does not complete on a first printer. For example, in the SOLUTION portion of the Abstract, it appears Hirofumi will update the setting information for the substitute printer so that if 10 copies are desired and 5 copies are printed on a first printer before an error occurs, only 5 additional copies are printed on a second printer. As Hirofumi only discloses changing setting information, this does not correspond to correcting print data as found in claim 1. Because Hirofumi does not disclose correcting print data based upon color information from both the original and substitute printer, its combination with Yacoub fails to render obvious the invention of claim 1. As claim 4 depends from nonobvious claim 1, claim 4 is nonobvious over the combination of Yacoub and Hirofumi for at least the same reasons.

For the same reasons just discussed, the combination of Yacoub and Hirofumi fails to render obvious the inventions of claims 6, 11, and 16. As claims 9, 14, and 19 depend from nonobvious claims 6, 11, and 16, respectively, claims 9, 14, and 19 are nonobvious over the combination of Yacoub and Hirofumi for at least the same reasons.

Accordingly, it is respectfully requested that the rejection of claims 4, 9, 14, and 19 under 35 U.S.C. § 103(a) as being unpatentable over Yacoub as applied to claim 1 above, and in view of Hirofumi, be reconsidered and withdrawn.

The rejection of claims 5, 10, 15, and 20 under 35 U.S.C. § 103(a), as being unpatentable over Yacoub as applied to claim 1 above, and in view of Otsuka, is respectfully traversed based on the following.

Claim 5 depends from claim 1. As claim 1 is unanticipated by Yacoub, claim 5 is unanticipated by Yacoub for at least the same reasons. Combining Otsuka with Yacoub fails to render claim 1 obvious. Otsuka discloses different means for transmitting data (public switched network or the Internet) along with the use of a multifunction printer. However, Otsuka does not disclose correcting print data such that printed images will be of the same quality regardless of the printer. Because Otsuka does not disclose correcting print data based upon color information from both the original and substitute printer, its combination with Yacoub fails to render obvious the invention of claim 1. As claim 5 depends from nonobvious claim 1, claim 5 is nonobvious over the combination of Yacoub and Otsuka for at least the same reasons.

For the same reasons just discussed, the combination of Yacoub and Otsuka fails to render obvious the inventions of claim 6, 11, and 16. As claims 10, 15, and 20 depend from nonobvious claims 6, 11, and 16, respectively, claims 10, 15, and 20 are nonobvious over the combination of Yacoub and Otsuka for at least the same reasons.

Accordingly, it is respectfully requested that the rejection of claims 5, 10, 15, and 20 under 35 U.S.C. § 103(a) as being unpatentable over Yacoub as applied to claim 1 above, and in view of Otsuka, be reconsidered and withdrawn.

CONCLUSION

In view of the foregoing, this application is considered to be in condition for allowance, and an early reconsideration and a Notice of Allowance are respectfully requested.

This Amendment does not increase the number of independent claims, does not increase the total number of claims, and does not present any multiple dependency claims beyond the number of claims originally paid for. Accordingly, no fee based on the number or type of claims is currently due. If an extension of time is required to enable

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Amendment dated January 26, 2005

Reply to Office Action of June 7, 2004 and Advisory Action of December 6, 2004

this document to be timely filed and there is no separate Petition for Extension of Time filed herewith, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed. Any fee required for such a Petition for Extension of Time or any other fee required by this response, including any fee pursuant to 37 C.F.R. §§ 1.16 and 1.17, other than the issue fee, and not submitted herewith should be charged to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260. Any refund should be credited to the same account.



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